

Board of Trustees
Monthly Meeting July 13, 2010

The Board of Trustees for the Village of Cold Spring held their regular monthly meeting on Tuesday, July 13, 2010 at Village Hall, 85 Main Street, Cold Spring, NY. Meeting began at 8:15 pm immediately after the public hearing on allowing composting toilets.

Attending: Mayor Seth Gallagher and Trustees Campbell, Falloon, Hustis, and Serradas
Also: Stephen Gaba, Village Attorney, Ellen Mageean, Village Accountant, William Bujarski, Building Inspector, Gregory Phillips, Water Superintendent, Michael Armstrong, Chairman of the Special Board for the Comprehensive Plan/LWRP

Members of the Public

Absent: Stephen Smith, Fire Inspector

Mayor Gallagher called the meeting to order. The minutes of the following meetings were submitted for board approval: June 8, 2010 monthly meeting, June 15, 2010 workshop, June 22, 2010 workshop, June 29, 2010 workshop and July 6, 2010 workshop. Trustee Hustis distributed copies of a verbatim transcript of the last 38 minutes of the June 15th workshop, prepared by Catharine Square, and requested that this transcript become part of the minutes of the meeting. After discussion, the board decided that Mayor Gallagher would listen to the tape of the proceeding. The minutes of this meeting will be approved as submitted and the minutes will indicate that Trustee Hustis presented a verbatim transcript. After Mayor Gallagher's review the board will vote on amending the 6-15-2010 minutes to indicate that a verbatim transcript has been prepared of a portion thereof and is attached as an appendix and will be available on the village website. Trustee Hustis moved to approve of the minutes as submitted and seconded by Trustee Serradas and unanimously approved.

Financial report

Budget Amendment **Resolution 2010-33** for the fiscal year 09/10 was reviewed as follows:

Insert Resolution

Trustee Serradas moved to approve of this resolution and seconded by Trustee Campbell and unanimously approved.

Bank balances were reviewed. Ninety-four percent of property taxes have been collected. Presentation of the results of the 09/10 fiscal year will occur during the August monthly meeting.

Building and Fire Department

Mr. Bujarski reviewed the status of violations. He described an issue with the remedy for the Forge Gate Condominium porches. Violations were given for approximately 90 balconies; six have been completed and inspected. The condominium association applied for one permit to repair all 90 porches which would mean one C of O at completion. This has created a problem with property sales/ refinancing and is holding up financial situations. Another issue is that the balconies/porches are listed as common areas. The Building Department will be performing inspections on all porches and asked if the board had an objection to charging \$25.00 per porch for a temporary Certificate of occupancy. The board had no objection to charging this amount and Mr. Bujarski was asked to speak to the condominium association and to get back to the board.

Mr. Bujarski has been addressing merchandise placed on Main Street sidewalks and asked for board direction on how to proceed if insurance requirements have not been met.

Water Department

A restriction on outdoor water use has been implemented, effective July 9th. The department is preparing the emergency connection to the NYDEP Aqueduct System, should the need for connection arise. Mr. Phillips stated that we are approximately a month ahead of schedule on using our finite supply of water. A timeline for the contracted items pertaining to the village dams and DEC deadlines was presented. Mayor Gallagher asked the board to ratify the emergency outdoor watering restriction. Trustee Serradas moved to approve of the outdoor watering restriction between the hours of 7 am and 7 pm and seconded by Trustee Campbell and unanimously approved. Ron Gainer, P.E. submitted a memo outlining the necessary steps to seek outside funding through the DWSRF for the relining of the 10" water main.

Wastewater Report

Confined space equipment has been purchased with official training to follow. The replacement of the pump/motor base to raw water pump #3, as well as its gate and check valves is complete. There was a cost overrun, and it has taken the past several weeks to work out a bottom line. Mr. Phillips spoke of the difficulties encountered with this project given the current configuration of the 38 year old plant. Staging needed to dismantle the existing piping was to be temporary, however, once onsite permanent I-beams were installed. While this also added to the overall cost of the project, Mr. Phillips stated it was designed for future use as well as the current project. The West Street lift station control panel has received EFC approval. We will have enough funds to purchase the panel but some of the installation costs may need to be taken from the sewer fund perhaps \$3,000-\$5,000.

Police and Justice Court reports were read. Justice Court collections totaled \$11, 934.

Recreation applications approved by the Recreation Commission were forwarded to the Village Board as follows:

7/31/10 and 8/22/10 birthday parties at Mayor's Park, Commissioning Ceremony for a Marine at the Bandstand on 8/1/2010, Pop Warner practices at Mayor's Park,

All applications were unanimously approved.

New applications not reviewed by the Recreation Commission due to late submission:

Friends of Tot's for a Jamboree/ fund raiser on 8/28/10

Wedding at the bandstand for a soldier who is being deployed to Afghanistan on 8/21/10

Trustee Serradas moved to approve, second by Trustee Hustis and unanimously

approved. Mayor Gallagher recommended waiving the fee for the Erikson wedding.

Board members had no objection.

Michael Armstrong submitted the **report of the Special Board.**

The drafting of the Comprehensive Plan is on schedule and on budget. Lynn Miller resigned from the Special Board due to family reasons. Candidates for the open position must submit their applications by July 27th.

Report of the Mayor and Board of Trustees

Trustee Campbell thanked all who participated in the Community Day event. David Cooke of the Cold Spring Antique Dealers Association donated \$250. With regards to the High Priority Transportation project for \$800,000, a change of scope has been approved

by the Department of Transportation. Fifteen engineering firms have been send requests for expressions of interest.

Mayor Gallagher described the new recycling program as very successful and estimates savings of \$17,000/year. The village will receive \$10.00 per ton for recyclables delivered to Hudson Baylor, which will make up for gas and tolls to Newburgh.

Mayor Gallagher spoke of bringing boats to the Cold Spring dock.

a. The fire boat John Harvey on 8/15 and 8/16

b. A 1907 tug boat and barge that offers school programs for Labor Day weekend

The application for docking boats has been revised to address concerns brought forth at previous meetings.

Correspondence

Thomas Campanile expressed his concerns regarding the Foodtown Plaza/ Post Office expansion proposal.

David Cooke congratulated the Board on a successful Community Day Celebration and donated \$250 to assist with expenses.

Peter Henderson supports consideration and full discussion of moving Village Offices to the Butterfield site with opportunities provided for consolidation.

Unfinished Business

Composting Toilet Local Law – Trustee Serradas proposed tabling for further discussion. After discussion, the board considered **Resolution 2010- 34** as follows:

Insert resolution

As the law needed referral to Putnam County Planning, the vote on the adoption of the local law was delayed.

Parking Waiver Local Law- **Resolution 2010-35** SEQR and Negative Declaration

Insert resolution

Parking Law adoption **Resolution 2010-36**

Insert Resolution

Review of Dockside Agreement- Attorney Gaba reviewed the elements of the revised agreement. It is a fifteen year agreement which gives right of possession and use of the property but anything you do must be approved by NYOPRHP. The Village must develop a concept plan. The village will be responsible for upkeep upon signing the agreement. Two other provisions involve preparation of a cultural resources assessment in consultation with the Field Services Bureau and a plan for development of the property prepared by a licensed engineer or architect. The only prohibited use at the site is commuter parking. Project would be subject to SEQR review and the agreement commits to NYSOPRHP being lead agency in SEQR. The Village would have the right to charge for the use of Dockside and would be entitled to keep funds sufficient to make the village whole but any additional funds would go to the state. Trustee Serradas inquired about village police protection of this property.

Mayor will follow up with Jane McLaughlin of NYSOPRHP to determine the next step.

Attorney Gaba recommended that Ron Gainer review the half story definition.

With regards to the Faust Court agreement, Mr. Gaba has been seeking the services of an appraiser to review the impact of the easement on the properties. He has an appraiser who will perform this service for \$750 and asked the board to authorize.

Trustee Serradas moved to authorize this work and seconded by Mayor Gallagher and unanimously approved.

Trustee Serradas moved to approve of a photo shoot at the waterfront and on village streets, seconded by Trustee Hustis and unanimously approved.

Discussion of placing a boot on vehicles with unpaid parking tickets was tabled as the board wanted to attend a demonstration of the proposed lighting at the waterfront.

Bill approval was delayed.

Trustee Serradas moved to adjourn and seconded by Trustee Campbell and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk